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OFFICE OF PETITIONS

In re Application of :
Hadden :
Application No. 10/713,897 : DECISION ON PETITION
Filed: November 19, 2002 :
For: STANDING FEATHER :
BEAUTY PRODUCT APPLICATOR :

This is a decision on the petition under 37 CFR 1.181, filed November 29, 2005, to withdraw the holding of abandonment.

The petition is **GRANTED**.

The application was held abandoned for failure to timely submit a properly reply to the Office communication mailed January 7, 2004. The Office communication set a two month shortened statutory period of time for reply. Notice of Abandonment was mailed November 7, 2005.

Petitioner argues that the Office communication was not received and further indicates that the Office communication was returned to the Office.

Petitioner's arguments have been carefully considered and found convincing.


A review of the official application file reveals that the Office communication was, for reasons unknown to the Office, returned to the Office by the United States Postal Service, despite the fact that the Office communication was properly addressed to applicant. There is no indication in the official record that the an attempt was made by the Office to re-mail the Office communication.

Accordingly, Notice of Abandonment is **WITHDRAWN** and the holding of abandonment is hereby **VACATED**.

This application is being forwarded to the Office of Initial Patent Examination for re-mailing of the Office communication.

The time period for reply will be set in the new Office communication.

Telephone inquiries concerning this matter may be directed to the undersigned at 571-272-3205.


Alesia M. Brown
Petitions Attorney
Office of Petitions